

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF MARCH 16, 2016**

RAYMOND R. ABRAMSON, JUDGE:

[CV-15-666](#). Arnold L. Moody v. Mary A. Tarvin, Jimmy D. Tarvin, Richard D. Christie, and Mary A. Tarvin and Jimmy D. Tarvin d/b/a Tarvin Trailer Park, from Garland County Circuit Court. Affirmed. Gruber and Vaught, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[E-15-361](#). Let's Talk Speech Pathology Services, LLC v. Director, Department of Workforce Services, Employer Contributions Unit, from the Arkansas Board of Review. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

M. MICHAEL KINARD, JUDGE:

[CV-15-700](#). Beth's Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Glover and Hoofman, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-15-702](#). Mark Brown v. Connie Brown, from Pulaski County Circuit Court, Fifteenth Division. Reversed and remanded. Kinard and Hoofman, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-15-640](#). Kirk Douglas Harris, Jr. v. State of Arkansas, from Stone County Circuit Court. Affirmed. Abramson and Gruber, JJ., agree.

[CV-15-639](#). Shane Lee Wills v. Theresa Wills and Minor Child, from Washington County Circuit Court. Affirmed. Hoofman and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-15-995](#). Arkansas Department of Human Services v. Shanell Veasley and Minor Children, from Pulaski County Circuit Court, Eleventh Division. Reversed and remanded. Virden and Brown, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-15-562](#). Erica Crystal Valencia v. State of Arkansas, from Crawford County Circuit Court. Affirmed as modified. Kinard and Glover, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

[CR-15-337](#). Amy Lee Ballinger v. State of Arkansas, from Ashley County Circuit Court. Affirmed. Hixson, J., agrees. Virden, J., concurs.

PER CURIAM DECISIONS

**The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).**

E-15-727. Rufus King v. Director et al.

E-15-728. Columbus Carter v. Director et al.

E-15-729. Rhonda Hammond v. Director et al.

E-15-730. Kurt Sisco v. Director et al.

E-15-731. Shearetta Ballance v. Director et al.

E-15-732. Debra Fuller v. Director et al.

E-15-733. Phillip Bentivolio v. Director et al.

E-15-734. Patricia Westerbuhr v. Director et al.

E-15-735. Erica Akins v. Director et al.

E-15-736. Alvin Armour, Jr. v. Director et al.

E-15-737. Carla Lewis v. Director et al.

E-15-738. Beverly Cox v. Director et al.

E-15-739. John Greene, Jr. v. Director et al.

E-15-740. Tina Dodd v. Director et al.

E-15-741. Rusty Collier v. Director et al.

E-15-742. Brenika Allen v. Director et al.

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E-15-743. Christopher Davis v. Director et al.

E-15-744. Rodney Alexander v. Director et al.

E-15-745. Jimmy Lee, Jr. v. Director et al.

E-15-746. Jacqueline Roberson v. Director et al.

E-15-747. Christopher Jones v. Director et al.

E-15-748. Jeff Daley v. Director et al.

E-15-749. Magdelyn Sutton v. Director et al.

E-15-750. Scott Shults v. Director et al.

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**PER CURIAM ORDERS**

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-15-1. Tierra Stewart and Randall Stewart v. The Estate of Bobby Nolan Herring, from Drew County Circuit Court.

CV-15-45. Elizabeth Ann Williamson, as Administrator of the Estate of Cynthia Frazier, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Cynthia Frazier v. Baptist Health Medical Center, from Pulaski County Circuit Court, Third Division.

CV-15-168. Liberty Bank of Arkansas, as Successor Trustee of the Vernon E. Arnold Revocable Trust v. Clyde E. Byrd, Jr., Executor of the Estate of Ardellia D. Byrd Arnold, Deceased, from Pope County Circuit Court.

CV-15-168. Liberty Bank of Arkansas, as Successor Trustee of the Vernon E. Arnold Revocable Trust v. Clyde E. Byrd, Jr., Executor of the Estate of Ardellia D. Byrd Arnold, Deceased, from Pope County Circuit Court.

CV-15-343. Teresa Bloodman v. Bank of America, N.A., from Saline County Circuit Court. Gladwin, C.J., and Virden, J., not participating.

CV-15-576. Gerald Stow v. State of Arkansas, from Baxter County Circuit Court.

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CR-14-364. Delbert Raymond Price v. State of Arkansas, from Washington County Circuit Court. Petition of David C. Hawkey for attorney's fees is granted. Allowed \$1,800.00.

CR-15-521. Gregory Aaron Kinsey v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to reinvest the circuit court with jurisdiction in order to consider a petition for writ of error coram nobis and to hold appeal in abeyance is denied. Abramson, Virden, Harrison, and Hixson, JJ., would grant. Vaught, J., not participating.

CR-16-166. Mohammed Siddiq v. State of Arkansas, from Saline County Circuit Court. Appellant's petition for writ of certiorari to complete the record, or, in the alternative, motion to remand to settle the record is granted.

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CV-14-1072. David Patton, William Patton, and Mary Jones v. Dorothy Fulmer, in Her Capacity as Executrix of the Estate of John M. Fulmer, Deceased, and Individually, from Pulaski County Circuit Court, Twelfth Division. Motion of appellee Dorothy Fulmer, Individually, for continuance of oral argument is granted.

CV-15-343. Teresa Bloodman v. Bank of America, N.A., from Saline County Circuit Court. Appellant's motion for disqualification is moot. Gladwin, C.J., and Virden, J., not participating.

CV-15-580. Kenneth Wayne Sparks v. Teresa Anne Sparks, from Cross County Circuit Court. Appellant's motion for extension of time to file brief is granted.

CV-15-597. James B. Mitchell v. Gregory Klebanoff, from Washington County Circuit Court. Appellee's motion to dismiss appeal is granted.

CV-15-609. George Wheatley d/b/a Velocity Sports Academy v. Dixie Mall 2003, LLC, from Benton County Circuit Court. Appellee's motion for attorney's fees and costs. Motion for attorney's fees is granted in the amount of \$9,132.00. Motion for additional costs is denied.

CV-15-625. Mike Ellis v. Denée Ellis, from Randolph County Circuit Court. Appellee/cross-appellant's motion for oral argument is granted.

CV-15-805. Ronnie McCord, Clint McCord, and McCord Farms, LLC v. Stanley Foster, Judy Foster, Linda Alden, Danny Brandon, and Ditch 56 Farms, LLC, from Craighead County Circuit Court, Eastern District. Motion of Ditch 56 Farms, LLC, to correct addendum is granted.

CV-15-859. Michael Riddick v. Emily Harris, from Mississippi County Circuit Court, Chickasawba District. Appellee's motion to correct the record or supplement the record and for additional brief time is remanded to the circuit court to settle the record.

CV-15-991. Jacqueline Ferguson and Chris Ferguson v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellants' motion to strike untimely brief is denied.

CV-15-991. Jacqueline Ferguson and Chris Ferguson v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellants' motion to stay briefing schedule is granted.

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CV-15-1044. Harold Brazeal v. Scott Cooper and Orthopedic Clinic, LTD, from Benton County Circuit Court. Motion of Arkansas Trial Lawyers Association to file an amicus curiae brief is granted. Gladwin, C.J., and Harrison and Whiteaker, JJ., would deny.

CV-16-17. Talma Ladd v. PS Little Rock, Inc., and Nick Naylor d/b/a Naylor Flooring, from Pulaski County Circuit Court, Ninth Division. Appellees' motion to dismiss appeal is denied.

CV-16-48. Judith L. Arnold v. Jerry K. Ashworth, from Newton County Circuit Court. Appellant's pro se motion to extend time to file corrected materials and to supplement record pursuant to Rule 2-1 is moot.

CV-16-48. Judith Arnold v. Jerry K. Ashworth, from Newton County Circuit Court. Appellant's pro se motion for stay pending appeal, accept appellate brief, and supplement record. Motion for stay pending appeal is denied. Motion to accept brief and supplement record is moot.

CV-16-75. Melissa Peeler v. Joseph Peeler and Meredith Peeler, from Cross County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted. Harrison, J., not participating.

E-16-107. Aebersold Family Dentistry v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CV-15-599. Stefanie Emerson v. James Emerson, from Crittenden County Circuit Court.

CV-15-654. Laroy Foster v. Gerald L. Wasson and Lisa Wasson, Trustees of the Wasson Family Trust UTA Dated March 28, 2007, from Fulton County Circuit Court.

CV-15-718. Arkansas Department of Parks & Tourism and Public Employee Claims Division v. Bill J. Price, from the Arkansas Workers' Compensation Commission.

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CR-15-234. Calvin Tatum v. State of Arkansas, from Monroe County Circuit Court. Motion of David O. Bowden for attorney's fees.

CR-15-484. Zack Ryan v. State of Arkansas, from Polk County Circuit Court. Motion of Randy C. Rainwater for attorney's fees.

CR-15-492. Deontae Fulton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Sara F. Merritt for attorney's fees.

CR-15-551. D.D.T. v. State of Arkansas, from Faulkner County Circuit Court. Motion of Howard M. Holtoff for attorney's fees.

CR-15-612. Travis Kimble v. State of Arkansas, from Conway County Circuit Court. Motion of Howard M. Holtoff for attorney's fees.

CR-15-645. Cesar Michael Figueroa v. State of Arkansas, from Washington County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees.

CR-15-694. Jamaal Rashad Halcrombe v. State of Arkansas, from Faulkner County Circuit Court. Motion of John Ogles for attorney's fees.

CR-15-714. Neil Taylor Nelson v. State of Arkansas, from Washington County Circuit Court. Motion of Toney B. Brasuell for attorney's fees.

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**MOTIONS SUBMITTED**

CR-15-926. Anthony Bragg v. State of Arkansas, from Boone County Circuit Court. Appellant's motion to supplement the record on appeal.

CR-15-1022. Adam Lane v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Pro se motion to stay proceedings and appoint new counsel.

CV-15-193. Hector Hortelano v. Laura Ivette Hortelano, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion for additional extension of time to lodge supplemental record and complete brief, and for appointment of Special Master, appointment of court reporter, or other relief.

CV-15-588. Alison Ashley Peck v. Hannah Peck, from Pulaski County Circuit Court, Sixth Division. Appellee's motion to request change of date for oral argument.

CV-15-654. Laroy Foster v. Gerald L. Wasson and Lisa Wasson, Trustees of the Wasson Family Trust UTA Dated March 28, 2007, from Fulton County Circuit Court. Appellant's motion to substitute parties.

CV-15-768. Tina M. Damron v. Stewart Damron, from Benton County Circuit Court. Appellee's motion to dismiss appeal and affirm judgment.

CV-15-784. Dustin Marvel v. Lindsey Marvel, from Johnson County Circuit Court. Appellee's motion to dismiss appeal and for attorney's fees.

CV-15-821. Bobby Blackwell and Blackwell Moving & Delivery, LLC v. Brown's Moving & Storage, Inc., d/b/a Blue Truck, from Pulaski County Circuit Court, Ninth Division. Appellants' motion for oral argument.

CV-15-872. City of Bethel Heights v. City of Springdale, Gregory A. Kendrick Revocable Living Trust Dated October 5, 2012, and Shelly Kendrick, from Benton County Circuit Court. Appellant's motion to stay and consolidate.

CV-15-872. City of Bethel Heights v. City of Springdale, Gregory A. Kendrick Revocable Living Trust Dated October 5, 2012, and Shelly Kendrick, from Benton County Circuit Court. Appellant's motion for extension of time.

CV-15-993. Robin M. Emis v. Keith W. Emis, from Pulaski County Circuit Court, Sixteenth Division. Appellant's motion for expedited review.



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**MOTIONS SUBMITTED**

CV-15-1021. Charles Coleman and Nelda Coleman v. University of Arkansas for Medical Sciences, Harmon Tobler, and Richard Betzold, from Pulaski County Circuit Court, Sixteenth Division. Pro se motion for the court to appoint appellant an attorney.

CV-15-1044. Harold Brazeal v. Scott Cooper and Orthopedic Clinic, LTD, from Benton County Circuit Court. Appellant's motion to supplement the record on appeal.

E-16-57. Little David Conway v. Director et al., from the Arkansas Board of Review. Pro se motions to add additional evidence.

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**CASES SUBMITTED**

CR-15-698. Shondrica Burton v. State of Arkansas, from Conway County Circuit Court.

CR-15-733. Marcus O. Millsap v. State of Arkansas, from Pope County Circuit Court.

CR-15-907. Bobby Wayne Austin v. State of Arkansas, from Arkansas County Circuit Court, Northern District.

CR-15-952. Andrew Bailey Kiser v. State of Arkansas, from Faulkner County Circuit Court.

CV-15-341. Bruce Smith and Jan Smith v. Mountain Pine Timber, Inc.; Joe T. Benton III; Russell Benton; Sheila Snowden; and Estate of Danny H. Snowden, Deceased, from Cleburne County Circuit Court.

CV-15-554. Alex Columbus Rome III and Michael Rome v. Walter Ratliff, Elnora Ratliff, Ada B. Ratliff, Valerie Azumara, and Wardell Ratliff, from Perry County Circuit Court.

CV-15-584. Nancy A. Edgerly v. Vanderbilt Mortgage and Finance, Inc., from Searcy County Circuit Court.

CV-15-675. Tim Clark and Sarah Clark v. Southern Farm Bureau Casualty Insurance Company, Inc., from Pulaski County Circuit Court, Seventeenth Division.

CV-15-728. Joe T. Benton III, Russell Benton, Sheila Snowden, and Estate of Danny H. Snowden, Deceased v. Bruce Smith and Jan Smith, from Cleburne County Circuit Court.

CV-15-947. Michelle Lawson v. Pratt & Whitney and AIG Claims, from the Arkansas Workers' Compensation Commission.

CV-15-990. Sarha Sisemore v. Arkansas Department of Human Services and Minor Children, from Madison County Circuit Court.

CV-15-1032. Arkansas Department of Human Services v. Toronto Walker, Levar Rounsville, Sr., and Minor Children, from Pulaski County Circuit Court, Tenth Division.

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**CASES SUBMITTED**

**The following cases are appeals from the Arkansas Board of Review.**

E-15-765. Michael Joplin v. Director et al.

E-15-766. Jasmine Witherspoon v. Director et al.

E-15-767. Justin Deal v. Director et al.

E-15-768. Robert Brawner v. Director et al.

E-15-769. Shawn Smith v. Director et al.

E-15-770. Carl Collins v. Director et al.

E-15-771. Madie Fudge v. Director et al.

E-15-772. Leeunice Manning v. Director et al.

E-15-773. Shawn Adams v. Director et al.

E-15-774. Jonesboro Insurance Group, Inc. v. Director et al.

E-15-775. Ricky Kanna v. Director et al.

E-16-1. Chris Pillow v. Director et al.